

TELFORD & WREKIN COUNCIL

PLANS BOARD

6TH OCTOBER 2010

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TWC/2010/0055 38 Limekiln Lane, Lilleshall, Newport, Shropshire, TF10 9EZ
Alterations to include extensions and new pitched roofs

APPLICANT

Mr Gene Garci

RECEIVED

06/04/2010

PARISH

Lilleshall and Donnington

WARD

Church Aston and
Lilleshall

CASE OFFICER

Elizabeth Attwood

MEMBERS WILL RECALL THAT THIS APPLICATION WAS DEFERRED ON
15TH SEPTEMBER 2010 FOR A SITE VISIT.

The neighbour (36 Limekiln Lane) has emailed Cllr Eade querying dimensions stated in the Officer's report. In addition she has provided photographs of the existing elevations and a 45 degree code plan showing the effect of the 45 degree code on her property.

The agent has also provided an additional plan showing the existing wall/fence heights (and the position of the proposed new roof over the existing garage).

LILLESHALL AND DONNINGTON PARISH COUNCIL HAVE REQUESTED
THAT THE APPLICATION IS DETERMINED BY PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The impact upon the character and appearance of the property and residential amenity.

PROPOSAL:

The proposal is for a new pitched roof above the existing garage and previously approved rear extension, and a new pitched roof to the existing flat roof bathroom dormer window.

The submitted plans also show proposed single storey side and rear extensions under permitted development. The drawings also indicate that the existing roof tiles will be removed and the existing and proposed extensions will be re-roofed in new brown brindle Redland landmark Double Roman tiles.

The original proposal included the erection of a single storey side extension and a single storey rear extension, however, subsequently it has transpired that these elements are Permitted Development and therefore do not require planning permission.

In response to neighbour concerns about loss of light and impact from the pitched roof over the garage, the scheme has been amended to add a hipped roof over the garage instead of the pitched roof and gable end.

SITE AND LOCATION

The application site is a 1970's Chalet style detached bungalow occupying a generous plot including part of a large pool, and is located in a predominantly residential area within the main body of Lilleshall village. The property is finished in brown brick with a steeply pitched concrete tiled roof and has white Upvc doors and windows; there is a small flat roofed dormer window on the left hand side (west elevation) of the roof serving the bathroom. The property has a carport and partially attached garage and two modest single storey flat roofed extensions to the side and rear - the side extension has now been demolished. The property is set back approx. 14m from the highway and has a large tarmac driveway and parking with garden to the front, side and rear. The property sits approximately 1.0m lower than the neighbouring property no.36 Limekiln Lane. The plot is bounded by walling and timber panel fencing.

HISTORY:

Informal enquiries in respect of Permitted Development allowances have been submitted to the LPA.

POLICIES:

The following policies are considered relevant in determining this application:

Wrekin Local Plan:

UD2 Design Criteria.

Core Strategy:

CS15 Urban Design.

National guidance:

PPS1 Delivering Sustainable Development.

CONSULTATIONS:

Five direct neighbour notification letters publicised the application.

1 letter of objection received from the nearest neighbour at No.36 Limekiln Lane, raising the following concerns:

- New gable roof to the garage will be detrimental to the residential amenity due to proximity to the kitchen and breakfast room window,
- Contravention of 45 degree code,
- Right to light,
- Increased use of electric lighting,
- Over-development,
- Out of scale and character

As a result of these concerns the design of the new garage roof was altered to a hipped roof rather than a gable roof to lessen the impact and achieved compliance with the 45 degree code.

Neighbours were re-consulted on the amended scheme.

1 letter of objection to the amended scheme from neighbour at No.36 Limekiln Lane, summarised as follows:

- No objection to the pitched roof over the existing dormer, or side and rear extensions,
- The amended design will still overshadow the kitchen and breakfast room windows,
- Impact on outlook, daylight and sunlight,
- Improvements to modern flat roofs,
- Loss of light for cosmetic purposes only,
- Right to air and light,
- Human Rights Act 1998.

The Council's Highway Engineer has no objections.

The Council's Geotechnical Engineer has no objections subject to condition in respect of mitigation measures for landfill gas.

The Council's Ecologist has advised an informative in relation to bats and birds as there is potential bat foraging habitat close to this site, including hedgerows, patches of woodland, ponds, rough grassland and gardens.

The Parish Council have objected to the application due to the loss of natural light into two rooms of the adjoining neighbour's house.

PLANNING CONSIDERATIONS:

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. Development is expected to respect and relate to any adjacent buildings.

Policy CS15 of the adopted Core Strategy states that the design of development will assist in creating and sustaining safe places, strengthening local identity and projecting a positive image, which will positive influence the appearance of the local environment.

National guidance contained in PPS1, states that design which is inappropriate in its context, or which fails to improve the character and quality of an area, should not be accepted.

The proposed development comprises several elements, these being:

- A new pitched roof above the existing flat roofed dormer window to the bathroom. This requires planning permission as the alteration protrudes more that 150mm beyond the plane of the original roof slope. Nonetheless, the development is considered appropriate and an enhancement to the flat roof and thus will have a positive impact on the visual quality of the dwelling. There is no impact on the residential amenity of the neighbouring property.

- New pitched roof above the garage. Planning permission is required for this aspect of the development due to the fact that Permitted Development does not allow the re-roofing of extensions.
- New pitched roof over existing flat roofed rear extension. Planning permission is required for this aspect of the development due to the fact that Permitted Development does not allow the re-roofing of extensions.

The applicant also intends re-roofing of the original house with new tiles. However, the chosen roofing material colour is deemed inappropriate for the location and would appear incongruous within the street. Therefore, it is considered necessary to impose a condition which requires a sample of a more appropriately coloured replacement roof tile to be submitted to the LPA for approval.

Other works are also proposed, namely:

- A 2.3m x 5.7m side extension on the (north east) left hand side of the property to provide a Study and Utility. This building is replacing a much larger (8m x 5.8m) previous flat roofed extension which has recently been demolished. This element does not require planning permission as it falls under Permitted Development providing the external materials match or are similar to the original house. Nevertheless, the development is considered acceptable and an improvement on the previous large flat roofed extension, and thus will have a positive impact on the appearance of the property and within the street scene. There is no impact upon the residential amenity of the neighbouring dwelling.
- A 3.7m x 3.5m rear extension on the south east corner of the property to provide an enlarged Living area. This element does not require planning permission as it falls under Permitted Development providing the external materials match or are similar to the original house. Nevertheless, the development is considered acceptable. Furthermore, there is no impact upon the residential amenity of the neighbouring dwelling, and the development is not visible within the public domain.

The new pitched roofs are considered an improvement to the existing flat roofs and thus will have a positive impact on the appearance of the property and the street scene.

The Council uses the “45 degree code” as a basis for assessing planning applications for domestic extensions. The code is intended to guide the size and design of extensions to ensure they will not seriously affect a neighbour’s outlook, daylight or privacy. Extensions should be designed not to cross a line drawn at an angle of 45 degrees from an adjoining neighbour’s nearest window which is also the main source of light to a habitable room and for a distance of 5m away. The code is for guidance purposes only and is not policy or statutory.

The design of the replacement roof above the garage and rear extension has been altered from a gable design to a hipped one to reduce the impact on the nearest neighbour (No.36). The case officer has stood at this window. The amended roof complies with Council's 45 degree code in respect of the neighbour's kitchen window as it 5m away.

With regards the neighbour's breakfast room window, the eaves of the hipped roof do cross the very end of the imaginary 45 degree line, but this two-light width window is not the only window to this room – there is a larger three-light width window to the front. Therefore officers do not consider there is any infringement of the 45 degree code. In addition, the neighbour also has their own 1.76m high boundary fence within 2m of their house which contributes to the neighbour's existing outlook. With the difference in ground levels (the application property is lower than the neighbour's property) this further reduces the amount of roof extension that the neighbour will see and hence is beneficial to the situation.

Furthermore, the new garage/extension roof is located to the east of the neighbours Kitchen and Breakfast Room windows and therefore when the sun is at its lowest, it is behind the mass of the existing dwelling, when it is at its highest in the south there is no impact and as it sets in the west it is behind the neighbour's own house. Accordingly, the new roof as amended will have little impact on daylight and sunlight to the two rooms.

Rights to Light is a civil matter between neighbours, and Rights to Light are independent to the planning system.

Similarly the neighbour has asked for the LPA to consider the 1998 Human Rights Act, in reaching a decision in respect of this application and more specifically, the right to respect for private and family life and the right to peaceful enjoyment of her property under Article 8 and Article 1 Protection of Property.

Both of these rights are qualified rather than absolute rights which means that interference with those rights can be justified in certain circumstances.

To be justified an interference must be in accordance with the law, pursue a legitimate aim and be necessary in a democratic society "there should be good reason for the interference which must be proportionate and it should do no more than necessary." Inevitably the majority of planning applications involve balancing the rights of the applicant and the rights of any objectors. In this case it is considered that the "interference" is minimal and negotiations have taken place with the applicant to reduce the effect i.e. the change to a hipped roof from a gable roof.

The neighbour has also advised the Case Officer that she will take out an injunction to prevent the development from taking place. However, Members are advised that this too is a separate legal matter independent to planning and should not inform the planning decision.

Members are also advised that if this application is refused then the applicant could then demolish the existing garage and previous extension and replace them with a building under Permitted Development that is longer and taller than the proposal (i.e. 4m long instead of the proposed 3.5m; 3m high to eaves instead of the proposed 2.4m and 4m high to the roof ridge instead of the proposed 3.8m). Therefore, any impact experienced as a result of this application is less than what could be built under Permitted Development for which planning permission is not required and thus the Local Planning Authority has no control.

With all the above in mind it is your Officer's professional opinion that the replacement pitched roofs as amended with hipped elements will not significantly adversely impact upon the residential amenity of the neighbouring dwelling. The proposed development has a beneficial impact upon the character and appearance of the dwelling and thus a positive affect upon the street scene. The proposed development will not result in any significant detrimental impact on the residential amenity of the neighbouring dwelling due to the existing boundary treatment, the design of the roof and the level differences. Furthermore, the proposed development is less than could be built under Permitted Development allowances. Accordingly, the proposal complies with both local and national policy and therefore recommended for approval with conditions.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 - Full with no reserved matters.
2. B06 - Samples of materials.
3. B29b - Landfill Gas
4. C38 - Compliance with approved plans.
5. I23 - Informative – Bats.
6. I25 - Informative – Birds.
7. I40 - Informative - Conditions.
8. I41 - Informative - Reasons for the grant of planning permission.
9. I Custom Informative – Redland roof tiles not approved.

REASON FOR APPROVAL:

The proposed development has a beneficial impact upon the character and appearance of the dwelling and thus a positive affect upon the street scene. The proposed development will not result in any significant detrimental impact on the residential amenity of the neighbouring dwelling due to the existing boundary treatment, the design of the roof and the level differences. Furthermore, the proposed development comprises a smaller extension than could be built under Permitted Development.

TWC/2010/0200 Capewell Works, Sommerfield Road, Trench Lock, Telford, Shropshire.
Erection of 234 dwellings

APPLICANT

Redrow Homes (Midlands) Ltd,

RECEIVED

06/09/2010

PARISH

Oakengates

WARD

Ketley and Oakengates

CASE OFFICER

Gareth Thomas

THIS APPLICATION HAS BEEN REFERRED TO PLANS BOARD.

MAIN ISSUES: Design, Urban Design, Access and Noise.

THE PROPOSAL:

Outline planning permission was granted by Plans Board in October 2009 for residential development and was subject to a Section 106 agreement. No changes are proposed to the section 106 Obligation previously negotiated.

This is a Reserved Matters application for approval of layout, scale and appearance of residential development comprising 232 houses at the former Capewell Works at Sommerfield Road, Trench Lock. The 9.4 Ha site will comprise a mix of detached and terraced dwellinghouses with a 0.75ha open space LEAP provision and a 1.45ha retained existing woodland. A single access point serves the development off Sommerfield Road. This access road then splits into a series of interconnecting highways and culs de sac within the estate proper. A particularly important requirement is to protect future residents from the effects of noise emanating from the A442 Queensway and development along the northern part of the site is pulled back and acoustic barrier provided to secure acceptable noise limits attached as conditions to the outline permission.

Since the application was submitted the application has been revised to incorporate design improvements and to secure improved noise protection along the northern boundary. This has resulted in a slight reduction in the total number of houses that will be built at this site. A condition was placed on the outline permission that permitted a lower density than would normally be required, of a minimum of 30 units per hectare – this has generally been achieved with a mix of three and four bedroom detached and 2 bed terraced units. Members will be aware that the current Secretary of State recently announced the abolition of minimum density standards

The development has been designed utilising Redrow's standard house types; these comprise arts and crafts designs, are all two storey and a mix of brick and render elevations with tiles roofs. The development includes provision of a Local Equipped Area of Play within the heart of the development. Under the outline permission and section 106 Obligation, it is intended that the LEAP be provided in accordance with Council specifications and be adopted by the Council under a management arrangement and payment of a commuted sum. No affordable housing is proposed at this time,

in line with the agreement secured under the outline permission. However should the development not proceed at a reasonable pace, the section 106 provides for affordable housing to be revisited. The design achieves sustainable attenuation of surface water run-off and provides proposals for the treatment of former mine-water via the restoration of the Serpentine. The developer has held discussions with the Authority with regard to possible future maintenance. This will be dealt with outside the planning process but will involve commuted payments.

THE SITE:

The site is the vacant industrial land with offices and buildings belonging to the former Capewell Works and over the years have been used for various manufacturing and warehousing, and most latterly, by Hutchinson UK. The site has now been cleared of all buildings. The site is a brownfield unallocated employment land and the grant of outline permission represents a “windfall” site.

The nearest corner of this 9 Ha site is located 400m from the mini roundabout junction with Trench Lock. The site lies adjoining the A442 Queensway but is not accessible from it. And also adjoins Middle Pool, which is an attractive local informal recreational/ amenity facility with links to a network of footpaths and cycle ways, including the footbridge across the A442 giving pedestrians and cyclists access to Teague’s Bridge primary school and the Sustrans national cycle route 81.

Hadley District Centre is 1300m away from the site entrance and there is a Lidl supermarket some 900m away. The area around Sommerfield Road is undergoing a transformation from predominantly industrial to greater residential development. The Blockleys Brickworks remain along with two small industrial estates; however, the development of the site at Trench Lock 1 is underway and planning permission has recently been granted subject to section 106 Agreement at part of the Blockleys works.

The site is heavily contaminated from previous uses which will require considerable remediation. There are drainage issues due to the maze of pipes and chambers beneath the site for the abstraction of mine water and to feed Middle Pool, including a serpentine chamber that removes iron ochre from the water.

PLANNING HISTORY:

Outline planning permission W2007/1732 – erection of (up to) 350 dwellings – granted 31st March 2010 subject to a section 106 Obligation that requires contributions to Teague’s Bridge Primary School, the nearby Wombridge play facility, highway improvements and clawback of affordable housing if development is not completed within 6 years from the granting of outline permission.

CONSULTATION:

Oakengates Town Council:

After discussion it was resolved that the Town Council has major concerns regarding this application: with the scale of the development there is a lack of community facilities in the area such as shops and pubs and the area is not served by public transport. Consideration should be given to section 106 monies to be provided to address community facilities such as the rebuilding of the community facilities that was burnt down.

British Waterways (BW): British Waterways concern is primarily with the drainage of the site. The Reservoirs at Trench Pool were constructed by BW in the 19th century to feed the Shrewsbury Canal, of which only a short section (some 260 metres long, owned by GKN Sankey) remains; (NGR 368127, 312558). Water is supplied by BW to this section from Blockley's mineshaft (owned by BW and located on Blockley's Brickworks / clay pit site in Sommerfield Road. (NGR for mineshaft is: 368615, 311884). Water from the mineshaft is artesian and passes through the serpentine ochre removal channel located adjacent to Trench Middle Pool a reservoir now owned by Severn Trent. All water from the Serpentine channel is directed across the development site and ends up at MH-S5 culvert junction adjacent the Queensway highway from where the water goes both into the storm drainage system but is also required to feed the GKN Sankey Canal arm. The water in the Serpentine and the culverts that flow from the mine workings on the eastern side of Somerfield Road belongs to British Waterways. BW has been party to detailed discussions with Entec regarding the existing water flows, the ownership of the components and the future water flow proposals. We have reached agreement as to how the water flows will be diverted to fit the development scheme.

Drainage Section: Comments, including potential adoption of any attenuation or mines water systems, an appropriate commuted sum should be agreed before commencement of development. If an independent management company will be utilised, details of this company will be required.

Highways Authority: comments on revised layout and details awaited but discussions have taken place and it is likely that the scheme is acceptable.

PLANNING POLICY CONTEXT:

Members are asked to note that outline permission has been granted for the site and thus the various planning policies with regard to the principles of development have been satisfied (by virtue of Plans Board's previous consideration). Relevant Policies for consideration of this Reserved Matters application include:

Wrekin Local Plan Policies:

UD2 (Design Criteria)

OL3 (Green Network)

LDF Core Strategy Policies:
CS11 Open Space
CS15 Urban Design

PLANNING CONSIDERATIONS:

Suitability of development, loss of employment land, affordable housing – these aspects have been satisfied by virtue of the Council already having granted outline permission.

It is important to recognise that the outline permission was the subject of 32 individual and mostly highly technical planning conditions that constrain the technical solutions available for dealing with surface water, including mine waters, highway and land contamination. These conditions remain to be satisfied through pre-commencement and restrictive conditions. Similarly, the section 106 Agreement sets out the nature and level of planning and community benefits that will be accrued. Thus it is not now open for the Council to revisit these conditions and covenants.

The development in terms of design and treatment of open spaces is acceptable. The layout provides a medium to low density with above average off street parking. It also achieves a reasonable mix of house types that may help in terms of meeting the needs of the local community (although officers remain disappointed that affordable housing is not provided for within the scheme due to viability factors already fully explored under the outline application).

The layout incorporates “Home Zone” elements but due to the suburban nature of the development, it has not been possible to fully satisfy Manual for Streets that encourages a flexible approach to estate developments so that roads and dwellings etc are thought of as cohesive elements to achieve a more permeable layout, where loops are preferred to culs de sac and road design is such so as to achieve 20 mph speeds. There are certain features incorporated within the development, including some shared surfaces, some traffic calming devices and some “gateway” features.

On balance this is an acceptable scheme and should be supported. Although there is some debate whether arts & craft movement designed houses is the most appropriate solution, it is also recognised that this is largely a self contained development that has been designed as a single entity with a particular identity.

RECOMMENDATION: RESERVED MATTERS GRANTED, subject to the following conditions/informatives:

1. A02 - Time Limit – Reserved Matters
2. C38 – Approved Plans
3. I40 – Conditions

4. 143 – Reason for Reserved Matters consent

Informatives:

Information Non-Standard – conditions discharged by this consent

RA Custom – compliance with Outline consent

TWC/2010/0208 Land at, Cedar Close, Telford, Shropshire, TF3 5BN
Erection of a two storey building containing 2no. two bed flats

APPLICANT

J Gaughan Developments, Mr John Gaughan

RECEIVED

19/04/2010

PARISH

Lawley and Overdale

WARD

Lawley and Overdale

CASE OFFICER

Phil Baker

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Design, Appearance, Access, Parking, Loss of Open Space.

THE PROPOSAL:

This application relates to the erection of a two storey building on land off Cedar Close, Overdale, which would contain two 2-bedroom flats. External materials would comprise facing brickwork and concrete tiles that matched those being used on the adjoining housing development.

The application site extends to 425 square metres, and comprises a rectangular piece of land 40 metres long and between 8 and 10 metres wide. The land slopes down to Oak Road at the northern end of the site.

The two storey building would be situated near to the top of the site. The front of the property would face down the site towards Oak Road. All the windows would be placed on the front and rear elevations apart from kitchen and bathroom windows on the ground floor, and landing and bathroom on the first floor.

The footpath down the western boundary of the site, which provides rear access to six existing dwellings, will be retained and improved, and will be extended down to Oak Road.

Each flat would have its own garden/amenity area, and each would also have two allocated parking spaces off Oak Road.

THE SITE AND ITS SURROUNDINGS:

The site lies in the centre of the Overdale housing estate within the existing built-up urban area of Telford. To the west of the site is existing residential development, to the south is a housing scheme that is currently being implemented, and to the east is the Sure Start Centre, also known as the Carpenter Centre. The site is a sloping area of public open space, comprising short grass, which runs up from Oak Road

CONSULTATION RESPONSES:

Councillor Greenaway objects to the application on the following grounds:

- Loss of privacy to existing properties in Cedar Close and the Sure Start Centre
- Loss of public open space which is used by younger children. This is the only open space serving the centre of Overdale

- Would block fire escape exit gate from Sure Start Centre
- Would be out of line with existing properties
- Footpath would become an unlit alleyway which would be a public safety issue

Three letters of objection have been received. The grounds of objection relate to:

- Loss of light and privacy to the rear of their property
- Loss of an area of open space
- Increase in traffic
- Fire risk to existing properties
- Rear accesses to existing houses will be reduced
- Increased noise, disturbance and pollution
- Increase in drainage and flooding problems
- Would block fire escape exit gate from Sure Start Centre
- There has been enough development in the past
- Will be unable to get trailer in and out of the property

A petition objecting to the development has been signed by 267 people. The grounds of objection relate to the loss of open space.

The Sure Start Centre objects to the application on the grounds that the new building would encroach on its playground area and block the designated fire exit gate.

The Parish Council believes that the area is already overbuilt, and that this additional build will take away the only remaining green space. In addition, there are concerns over the volume of traffic already using the access roads.

The Council's Highways Engineer has no objections, subject to conditions relating to the provision of the requisite visibility splays, and the parking area being surfaced in a bound material.

The Council's Outdoor Recreation Officer has stated that the application site has no formal designation for recreational use due to the proximity of existing dwellings adjacent to the site. The area which is designated for this use is less than 1000 metres away at Rock Road, and is shortly due for a major upgrade. If the application site was to be developed he would be looking for a financial contribution of £5,000 to upgrade the recreational facilities in Rock Road, and the applicant has agreed to pay this sum to the Council.

The Council's Geotechnical Engineer has no objections, subject to conditions relating to the footprint of the building being drilled and grouted, and reinforced foundations being provided.

The Council's Drainage Engineer has no objections, subject to conditions relating to foul and surface water drainage, the use of a private drainage system, and surface water run-off rates.

PLANNING POLICY:

The following statutory policies are relevant in the determination of this application:

Wrekin Local Plan

H6 – Windfall Sites in Telford and Newport

UD2 – Design Criteria

LDF Core Strategy

CS1 – Homes

CS5 – District and Local Centres in Telford

PPS1 – Delivering Sustainable Development

PPS3 - Housing

PLANNING HISTORY:

A similar application (ref: W2009/0639) for a two storey building containing two flats was withdrawn in September 2009 before being determined.

PLANNING CONSIDERATIONS:

This site is shown as ‘white land’ on the Wrekin Local Plan where residential development is acceptable in principle. The site lies in the centre of a predominantly residential area within Telford, and it is considered that the site is large enough to accommodate a new property which would accommodate two flats.

The building is very similar in size and design to the one currently being constructed on an adjoining site, and the external materials would match those being used on that property.

Although the proposed property would be situated at the bottom of gardens of existing houses in Cedar Close, it would be set at 90 degrees to them, and the side elevation would be a gable end. All the windows of habitable rooms such as a bedroom, kitchen, and lounge would either be at the front or rear of the property, and either face down to Oak Road or up to the current housing development, apart from four windows which are all to non-habitable rooms. The only first floor windows on the side elevations comprise a landing window that faces existing houses to the west and a bathroom window that faces the Sure Start Centre to the east. The landing window is 12 metres from the rear elevation of the nearest house, and the bathroom window would be obscure glazed. In these circumstances it is considered that there would be no significant loss of privacy to adjoining properties, and no appreciable loss of light.

The applicant has agreed to relocate the Sure Start Centre’s emergency fire exit gate. This gate would be moved to the front of the Centre’s site and would be installed and available for use before any development commenced on site.

The Council’s Outdoor Recreation Officer has stated that this site is not designated as a formal recreation area and he would have no objection to its

development providing that a financial contribution is made to the Council to upgrade the recreational facilities in Rock Road. The applicant has agreed to pay a sum of £5,000, which the Outdoor Recreation Officer feels is adequate.

The Council's Highways Engineer has no objections to the application, believing that two additional flats will not make a noticeable difference to the amount of traffic that presently uses the roads in Overdale.

The Council's Drainage Engineer has no objections, and subject to the submission of additional drainage details, considers that the site can be satisfactorily drained of both foul and surface water.

The boundary fencing down the side of the footpath would be no higher than 1.2 metres in height. This would ensure that the footpath did not feel unsafe or oppressive for the people using it, and did not prejudice public safety.

To summarise, it is considered that the application site is suitable for residential development, and that the proposed development would be acceptable. The design and appearance of the property would relate positively to its context, and would respect the adjacent dwellings in the immediate area. Furthermore, the development would not be detrimental to the character and appearance of the site or the surrounding area. The proposed dwellings would not be harmful to the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

RECOMMENDATION: Subject to the applicants entering into a Section 106 Agreement relating to a financial contribution of £5,000 to upgrade the recreational facilities at Rock Road, then delegate to the Head of Planning to **GRANT PERMISSION**, subject to the following conditions:

1. Full permission
2. Amended plans
3. External materials
4. Reveals
5. Use of reinforced foundations
6. Footprint of the building being drilled and grouted
7. Provision of visibility splays
8. Provision and retention of parking area
9. Surfacing of parking area
10. Foul and surface water drainage
11. Use of private drainage system
12. Surface water run-off rates
13. Boundary treatments
14. Obscure glazing to first floor bathroom window
15. Improvement and extension of footpath down to Oak Road
16. Provision of alternative fire escape exit gate before any development commences

REASON FOR APPROVAL:

This site is shown as 'white land' on the Wrekin Local Plan where residential development is acceptable in principle. The site lies in the centre of a predominantly residential area within Telford, and the site is large enough to accommodate a new property which would accommodate two flats.

The design and appearance of the property would relate positively to its context, and would respect the adjacent dwellings in the immediate area. The development would not be detrimental to the character and appearance of the site or the surrounding area. The proposed dwellings would not be harmful to the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

TWC/2010/0295 The Piggeries, Rodington, Shropshire, SY4 4QN
Conversion of existing barn into residential

APPLICANT

Mr & Mrs M Manley

RECEIVED

11/06/2010

PARISH

Rodington

WARD

Wrockwardine

CASE OFFICER

Anna Robinson

THIS APPLICATION WAS DEFERRED FROM 15TH SEPTEMBER PLANS BOARD TO ENABLE MEMBERS TO UNDERTAKE A SITE VISIT.

On 13th September, Councillor Kiernan hand-delivered a copy of the ecological survey dated February 2008 to address Refusal Reason 4 of the report. The Council's Environmental Planner has reviewed the survey and considers it was carried out in February 2008 and recommends that if development works are delayed by more than 12 months further surveys may be required. There was evidence of nesting birds and badgers found during the survey and habitat on site was assessed as being suitable for bats and reptiles. Given the survey was carried out more than two years ago and the requirements within it were that further surveys may be required; officers consider that this information is insufficient to overcome the refusal reason and therefore the development would still be contrary to national guidance in PPS9.

Officers wish to clarify the Council's position in respect of Rodington Parish Council's comments on the previous planning refusal. As outlined in the current report to Plans Board, the development would be contrary to planning policies in the Core Strategy and Wrekin Local Plan. There must be exceptional reasons for new residential development to be permitted outside the key suitable settlements, namely High Ercall, Tibberton and Waters Upton. These exceptional reasons would include affordable housing provision, creation of an agricultural or forestry workers dwelling or the building is of significant architectural or historic merit. Furthermore, the development would also need to constitute a suitable infill site. In this instance, the proposal does not constitute an exception or an infill site. As there are no material considerations or exceptional reasons to outweigh planning policies, the proposal cannot be supported by officers.

In Rodington Parish Council's correspondence to the Planning Inspector, reference was made to other developments that had been permitted in the rural area such as a barn conversion at Tern Farm, Longdon-on-Tern (W2008/0059) which was allowed at appeal. In the Planning Inspector's appeal decision dated 24th June 2008 it was stated that whilst the barns were not listed, they were deemed to be of historic and architectural merit (thus the proposal complied with Policy H18 of the Wrekin Local Plan), and the conversion scheme would be sympathetic to the original character and appearance of the buildings to merit conversion. It was the Inspector's opinion that in the circumstances of this particular case, the desirability of safeguarding the future of the buildings of architectural and historic merit

justified an exception to Policies CS1 and CS7. Thus, officers and the Inspector consider the Tern Farm buildings are totally different in quality and character to the Piggeries buildings and officers consider that the appeal decision at Tern Farm cannot be held as setting any precedent for approval of the ordinary buildings the subject of this application.

Accordingly the recommendation to Members and the reasons for refusal remain unchanged:

RECOMMENDATION: REFUSE PLANNING PERMISSION for the following reason:

1. The Local Planning Authority considers the proposed conversion of the existing barn to create a new dwelling is unacceptable because the building is not considered to be of sufficient architectural or historic merit and does not make a significant contribution to the character of the area to justify conversion to ensure its retention. Furthermore it would not meet an essential agricultural or forestry need, nor be part of a scheme for the reuse of the building for employment purposes. Accordingly the proposal is contrary to policy H18 of the Wrekin Local Plan.
 2. The proposed conversion to a residential unit in Rodington lies outside the identified settlements of High Ercall, Waters Upton and Tibberton where new residential development in the rural area is expected to be sited. The development would not constitute an exceptional circumstance, in terms of providing an agricultural or forestry workers dwelling or affordable housing, nor constitute a building of sufficient architectural or historic merit, and the provision of a new dwelling away from the identified settlements would conflict with the purposes of the adopted Core Strategy. Hence the proposal is contrary to Local Development Framework Core Strategy policy CS7, policy H18 of the Wrekin Local Plan and national guidance contained in PPS1, PPS3, PPS4 and PPS7.
 3. The Local Planning Authority considers that the threshold of 170 dwellings in the rural area, as set out in the Development Plan Core Strategy CS1, has already been exceeded from dwellings built or having received planning permission since the start of the Plan period (2006). The proposed development would therefore further exceed the need identified for the rural area and would undermine sustainability objectives and therefore it is contrary to Policy CS1 and national guidance in PPS3.
 4. The Local Planning Authority considers insufficient information has been submitted with the application to demonstrate that the development will not have an adverse impact on protected species. Accordingly, the development is contrary to national guidance contained in PPS9 Biodiversity and Geological Conservation.
-

COUNCILLOR SEYMOUR HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS AT PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of Development and Conversion of Barn to Residential Property in Unsustainable Location, Historic and Architectural Merit of Buildings Effect of Further Exceeding Rural Housing Numbers

THE PROPOSAL:

The application seeks full planning permission for the conversion of the original barn into a dwelling house at The Piggeries in Rodington.

The proposal is a reduced scheme from the development that was dismissed at appeal, with the more intact linear element to the east now the subject of this application, and the other elements – the workshop and modern extensions are to be removed.

HISTORY OF PROPOSAL:

The application follows a previous submission (ref:W2008/0167) for the erection of a first floor extension, exterior alterations, and conversion of existing barn to a single detached dwelling (Use Class C3) with associated works which was refused by Members in 2008 and dismissed by the Planning Inspector by a notice dated 6th January 2009. The Planning Inspector considered the proposal was contrary to Policy H18 of the Wrekin Local Plan.

The previous application was refused at Plans Board on the grounds that the creation of a new dwelling in this location was unacceptable, being outside the suitable settlements listed in CS7 and also that the scale, mass and form of the proposal would not contribute to the character of the local area. The Planning Inspector considered the proposal was contrary to a number of criteria listed in H18 and furthermore he considered the dilapidated barn did not have any architectural or historic significance.

THE SITE AND SURROUNDINGS:

The application site comprises an existing dilapidated barn with modern extensions. The building was formerly a builder's workshop in the 1980s. It appears that it is currently used for storage. The remaining elements of the original building are not considered to be of architectural or historic significance. The building is accessed via a narrow driveway from Grove Lane, which also serves the adjoining residential properties, The Laurels and Sunnyside. The site is located on the edge of Rodington, with residential properties and the Grade II listed St Georges Church to the south, and open countryside to the north and east. The field to the north has a redundant mill in the centre. The existing site boundary treatment comprises low wooden fencing and hedgerows to the north and eastern boundaries adjoining the fields. Whilst to the south and west, adjacent to Sunnyside, the site is open.

Rodington is characterised by 'Ribbon Development' formed along four lanes, which meet in the centre of the settlement, and it is predominantly residential,

with limited local facilities including the adjacent church and The Bulls Head public house. The properties in Rodington consist of a variety of terraced, semi-detached and detached houses. The application site does not front a highway and is set back on the private driveway to the edge of the existing settlement.

CONSULTATION RESPONSES:

Rodington Parish Council has no objection to the proposal and states that following their meeting on 7 July 2010 they confirmed that they unanimously supported the application to restore what is currently an eye sore in the centre of Rodington, bringing affordable housing to a rural area.

The Council's Highways Engineer has no objection to the proposal.

The Conservation Officer made the following comments regarding the previous appeal for the conversion of the building and extensions at the site: *It is apparent that there have been some recent building works to part of the structure with new timber frame and brick infill walls constructed to the outside of the original external walls (now demolished). There is no roof to this new build and there is only a limited section of the original brick structure and tiled roof remaining. I can confirm that what remains of the original building is of no architectural or historic significance to merit any conversion to a dwelling and that the extent of the conversion proposed would be tantamount to the erection of a new dwelling.*

With regard to the current proposal, the Conservation Officer notes the Planning Inspector's comments on the apparent condition of eastern wing of the building in the appeal decision dated 6th January 2009, however she does not accept that the building is of any architectural or historic merit to warrant saving the building through conversion if existing policies cannot support the development. She also notes the Planning Inspector's rather scathing comments about the Local Planning Authority's use of policies in the appeal and Rodington Parish Council's comments on the LPA's strict interpretation of policies on rural conversions. She adds that if other planning policies accept the reasonable conversion of the more intact range, she would have no objection to the revised proposals as submitted subject to conditions on materials, mortar and pointing, fenestration etc.

The Drainage Engineer has no objection to the proposal subject to Condition B33 requiring details of foul and surface water drainage.

The Geotechnical Engineer has no comments.

The Environmental Planner objects to the proposal and states that a protected species survey is required to determine whether these species are present in the building and what the impact of the development will be on these species. The results will inform the planning decision and therefore this information is required prior to determination of the application. The property is close to potential bat foraging habitat, including patches of woodland, rough grassland, standing trees, scrub and open water. As this development involves

conversion, it is possible that roosting bats and nesting birds could be affected. Bats are protected under the Conservation of Habitats and Species Regulations 2010 and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Birds are protected under the Wildlife and Countryside Act 1981 (as amended).

The Environmental Health (Contaminated Land) Officer has no comments.

Shropshire Fire Service advises it will be necessary to provide adequate access for emergency fire vehicles. Furthermore they consider the benefit of installing a correctly designed sprinkler system which can detect and control a fire at an early stage of development will rapidly reduce the rate of production of heat and smoke.

PLANNING HISTORY:

W80/1014 Change of use from agricultural piggery to builder's store/workshop, and yard, Full granted

W89/0806 Erection of a detached bungalow, Full refused

1996 and 1998 Enforcement complaints re: unauthorised extension

W2008/0167 Erection of First Floor Extension, Exterior Alterations, and Conversion of Existing Barn to a Single Detached Dwelling (Use Class C3) with Associated Works, Full refused and Appeal dismissed (Appeal ref: APP/C3240/A/08/2086781).

POLICY CONTEXT:

National Planning Policy:

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS4 Planning for Sustainable Economic Growth

PPS7 Sustainable Development in Rural Areas

PPS9 Biodiversity and Geological Conservation

Local Development Framework Core Strategy:

CS1 Homes

CS7 Rural Areas

CS15 Urban Design

Wrekin Local Plan

UD2 Urban Design Criteria

H9 Location of New Housing

H10 Scale of Development

H18 Conversion of Non-Residential Buildings to Residential Use in Rural Areas

PLANNING CONSIDERATIONS:

The proposal is for conversion of an existing barn to a single storey one-bedroom unit of accommodation. The existing modern extension to the building would be demolished and replaced by a front garden area. The building would comprise a linear form with a blank gable to the south elevation

facing Sunnyside. The property would be accessed by the existing shared driveway, with car parking to the west of the property and large rear garden to the east.

Principle of development:

With regard to national guidance contained in PPS1, PPS3, PPS4 and PPS7, new development shall be located in or on the edge of existing settlements and service areas where housing, employment, services and other facilities are provided close

together, in order to create sustainable communities.

Core Strategy Policy CS1 requires the spatial distribution of new homes to be consistent with the spatial development strategy, stating that housing needs in the rural area will be met by approximately 170 new dwellings over the period from 2006 – 2016. This figure is derived from evidence provided by the Telford & Wrekin Housing Needs Study. Its inclusion in local policy reflects national planning policy requirements to limit the number of new dwellings in rural areas. At the current time, the threshold has been met from dwellings already built or having received planning permission. The proposal would therefore be contrary to Policy CS1.

Policy CS7 states that development within the rural area should be limited to meet the needs of the area, and be focussed on the 3 key settlements of High Ercall, Tibberton and Waters Upton. Outside these settlements development will be limited and within the open countryside strictly controlled. Rodington is not one of the key settlements and whilst it was listed as one of the 13 suitable settlements in policy H9 of the Wrekin Local Plan, this policy has now been superseded by Policy CS7 in the Core Strategy. Therefore any new residential development in Rodington would be limited to agricultural, forestry or other occupational dwellings or affordable housing, having regard to national policy guidance. The proposal has not been identified as any of these exceptions. Furthermore, within the suitable settlements in the rural area (formerly listed in Policy H9), H10 of the Wrekin Local Plan states that development will be permitted where the proposal involves one or two dwellings on a suitable infill plot within the existing built up frontage and would not lead to the loss of open space or an extension of the village into open countryside. The proposal would not meet these criteria, as the building is situated of a significant drive, with no relationship with the main frontage.

Policy H18 of the Wrekin Local Plan asserts that the conversion of non-residential buildings to residential use in the rural area will be strictly controlled. Where the proposal is outside of the suitable settlements in the rural area, namely High Ercall, Tibberton and Waters Upton, the conversion of non-residential buildings will only be permitted where the Council considers the buildings to be of sufficient architectural or historic merit, or makes a significant contribution to the character of the local area, to justify conversion or retention, or the dwelling would be required to provide accommodation for an agricultural or forestry worker, along with meeting the following criteria The applications must demonstrate alternative business re-use has been sought (marketing etc.), be of permanent and substantial construction, not lead to dispersal of activity to the detriment of nearby villages, ensure form and

design respect the setting, buildings are capable of conversion without significant reconstruction, conform with criteria in PPS7 and PPS23 (Planning and Pollution Control).

With regard to the criteria in H18, a structural survey has been submitted with the application and the existing building is in more of a complete form than the other attached dilapidated structures, although in the Planning Inspector's report, whilst he acknowledged that this element of the building was largely intact, he also noted that there was "evidence of fairly recent replacement of about 3-4 courses of bricks plus repointing just under the roof", and he stated that the former piggeries building was in a dilapidated state. The application fails to demonstrate marketing of the buildings to ascertain whether there could be any alternative uses for the building. Rodington is no longer designated as a suitable settlement, and the buildings are not deemed to be of sufficient architectural or historic merit to justify conversion to ensure the long term retention of the building. In addition, it is not claimed by the applicants that the dwellings is for any essential agricultural or forestry need.

Officers would reiterate that the Planning Inspector dismissed the appeal for the proposed conversion of The Piggeries on the grounds that the building did "not have any architectural or historic significance".

It is therefore considered by officers that the proposal fails to demonstrate any exceptional planning circumstances for the conversion of the building to a dwelling, and is accordingly contrary to policy H18.

Design Issues:

Policy CS15 outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment. In the Wrekin Local Plan, Policy UD2 asserts that development must respect and respond positively to the context, and enhance the local environment through high quality design, and it will be assessed in relation to its scale, form, proportions, materials and access etc.

Officers note that the current proposal represents a more sympathetic conversion of the building which would be of a better design than the previous application, and in the Design & Access Statement, the Applicant has taken account of the Planning Inspector's comments regarding the previous scheme. Thus officers consider that the Applicant has sought to overcome the second reason for refusal on W2008/0167.

The revised design is an improvement to the previous submission; however officers would still assert that the principle of new residential development in an unsustainable rural location and the fact that the buildings are not of such significant architectural or historic merit to justify retention and conversion to residential use are the key issues for consideration; and revisions to the design will not overcome the fundamental policy issues.

Consultation Comments:

Rodington Parish Council's comments in support of the proposal are noted with regard to the current building with its partly constructed extension being seen as an eyesore and the provision of affordable housing; however the existing building is located on the edge of the settlement of Rodington and does not appear prominent in the area, thus the proposed conversion would not have a significant impact in terms of enhancing the character of Rodington. Moreover officers would assert that whilst the proposed development would create a modest one-bedroomed dwelling, the application and supporting information do not specify that the development would be an affordable property. If this were the case, the Local Planning Authority would be able to consider whether the proposal would constitute an affordable exception outside the three suitable settlements. In the application's present form, there are no exceptional circumstances to warrant the building's retention and conversion.

Ecological issues:

Within PPS9 and guidance contained in Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System, it is considered essential that the presence or otherwise of protected species, and the extent that they could be affected by proposed development, is established before planning permission is granted, to ensure all relevant material considerations have been addressed in making the decision. The ecological surveys should be completed and any necessary measures to protect the species should be in place prior to determination. It appears that a protected species survey was included within a previous submission that was never formally registered as it was incomplete; however the current proposal did not include this information. Accordingly this information is still outstanding and required in the determination of any conversion or alteration of the building, therefore officers recommend refusal on the grounds of insufficient information to assess any potential impact on protected species.

Conclusion:

The proposal fails to demonstrate any exceptional planning circumstances for the conversion of the building to a dwelling, and is accordingly contrary to policy H18. The principle of new residential development in an unsustainable rural location and the fact that the buildings are not of such significant architectural or historic merit to justify retention and conversion to residential use are the key issues for consideration; and revisions to the design will not overcome the fundamental policy conflict. The settlement of Rodington is not identified as one of the suitable settlements in the rural area in the Core Strategy and further development in the rural area outside the key settlements would undermine the aims of the Core Strategy.

RECOMMENDATION: REFUSE PLANNING PERMISSION for the following reason:

1. The Local Planning Authority considers the proposed conversion of the existing barn to create a new dwelling is unacceptable because the building is not considered to be of sufficient architectural or historic

merit and does not make a significant contribution to the character of the area to justify conversion to ensure its retention. Furthermore it would not meet an essential agricultural or forestry need, nor be part of a scheme for the reuse of the building for employment purposes. Accordingly the proposal is contrary to policy H18 of the Wrekin Local Plan.

2. The proposed conversion to a residential unit in Rodington lies outside the identified settlements of High Ercall, Waters Upton and Tibberton where new residential development in the rural area is expected to be sited. The development would not constitute an exceptional circumstance, in terms of providing an agricultural or forestry workers dwelling or affordable housing, nor constitute a building of sufficient architectural or historic merit, and the provision of a new dwelling away from the identified settlements would conflict with the purposes of the adopted Core Strategy. Hence the proposal is contrary to Local Development Framework Core Strategy policy CS7, policy H18 of the Wrekin Local Plan and national guidance contained in PPS1, PPS3, PPS4 and PPS7.
3. The Local Planning Authority considers that the threshold of 170 dwellings in the rural area, as set out in the Development Plan Core Strategy CS1, has already been exceeded from dwellings built or having received planning permission since the start of the Plan period (2006). The proposed development would therefore further exceed the need identified for the rural area and would undermine sustainability objectives and therefore it is contrary to Policy CS1 and national guidance in PPS3.
4. The Local Planning Authority considers insufficient information has been submitted with the application to demonstrate that the development will not have an adverse impact on protected species. Accordingly, the development is contrary to national guidance contained in PPS9 Biodiversity and Geological Conservation.

TWC/2010/0335 Former Reservoir Opposite, 4 Hillside East, Lilleshall,
Shropshire, TF10 9HG
Conversion of former reservoir to garage/store

APPLICANT

J Taylor

RECEIVED

30/06/2010

PARISH

Lilleshall and Donnington

WARD

Church Aston and
Lilleshall

CASE OFFICER

Elizabeth Attwood

CLLR ANDREW EADE HAS REQUESTED THAT THE APPLICATION IS
DETERMINED BY THE MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Highway safety, residential amenity and character and
appearance, and biodiversity of the area.

PROPOSAL:

This application seeks planning permission for a change of use from a former
Severn Trent Water reservoir to a garage/store for use by the applicant for the
storage of various plant and equipment he owns (digger, trailers and vans, all
vehicles except for his own personal car).

SITE AND LOCATION:

The site is located in the open countryside as defined in the Wrekin Local
Plan. The village of Lilleshall lies approx. 6kms north east of Telford Town
Centre, and comprises a predominantly linear form with built development
around the monument hill. The application site lies on the east side of the hill,
and is a disused Severn Trent Water (STW) reservoir and is backfilled with
unknown material. . The applicant is currently in the final stages of
construction of a large detached Duke of Sutherland style dwelling and double
garage on the former Builder's Yard belonging to his father opposite the
former reservoir, (Mount Building Services ceased trading when planning
permission was granted for the new dwelling). The site still resembles a
building site with pallets and crates of facing bricks, roofing materials, rock,
timber, a circular saw, mini digger and trailer etc.

The former reservoir is roughly rectangular in shape and is a concrete
construction situated opposite the aforementioned double garage on the
opposite side of the road and built into the hillside. The structure is
rectangular in shape and comprises concrete walls which have been in filled
with inert rubble material; the top of the structure is rough ground with mainly
scrub vegetation. There is a section of metal chain link fencing along the
south east edge of the top wall.

PLANNING HISTORY:

Outline planning permission W2005/0819 was granted for the erection of a
detached dwelling and garage, with the Reserved Matters application
W2007/0174 finally approved in April 2007.

CONSULTATIONS:

A Site Notice and 10 direct neighbour letters have publicised the application; 3 representations have been received. The issues raised are:

- Support for the application providing any approval is limited for storage accommodation to the owners vehicles and building materials during the construction of the new dwelling
- planning approval should include a condition preventing future use of the area for anything other than the storage of the owner vehicles.
- It should include a condition that prohibits the area being used in association with any current or future commercial activity or business.
- A condition should relate to the times and method of emptying the rubble forming the backfill of the reservoir.
- Hillside East is a single track unadopted lane with responsibility for maintenance resting with the frontagers (the predominant one of whom is Telford and Wrekin Council).
- Emptying the rubble should be limited to Monday to Friday during normal working hours (say 8am to 6pm)
- Appearance and visual amenity,
- Proposed use,
- Noise and disturbance of operation,
- Traffic generation and road damage,
- Highway safety/road access, lack of passing places
- Traffic access danger/safety hazard,
- Hazardous construction process,
- Concerns that the use will be commercial,
- Time frame for completion of works,
- Fences should be erected around applicants land to define ownership,
- Emergency service vehicles have difficulty reaching houses beyond the application site, as they believe the lane ends at the 'farm yard',
- Will the development be in-keeping with Lilleshall beauty spot?

Lilleshall and Donnington Parish Council has objected to the application for the following reasons:

- It will be intrusive to the view from Lilleshall hill.
- As the reservoir to the rear of proposed site will become landlocked there would be a likelihood of a further application to this already large site.
- Increased garage/storage area would lead to increased deliveries of goods and vehicles which is unacceptable on such a narrow road where access is currently generally very poor. There is also no turn around points along the road.

The Highway Engineer supports the application.

Shropshire Wildlife Trust has not responded.

Drainage Engineer has no comments to make.

The Ecologist has no objections subject to conditions.

The Sustainability Officer has no comments to make.

The Contaminated Land Officer has confirmed that there are no Environmental constraints, therefore has no comments to make.

POLICIES:

The following policies are considered relevant in determining this application:

Wrekin Local Plan:

UD2 Design Criteria.

Core Strategy:

CS12 Natural Environment,

CS15 Urban Design.

National guidance:

PPS1 Delivering Sustainable Development

PPS7 Sustainable Development in Rural Areas.

PPS9 Biodiversity and Geological Conservation.

PLANNING CONSIDERATIONS:

The proposal is to convert the disused reservoir to a garage/store with an entrance in the form of side hung timber ledge and braced double doors cut into the south east concrete face of the structure, facing the road. The proposal also includes replacement steel hooped fencing along the top of the south east edge, and a Polyroof Green Roof.

The newly created store and garage would then enable majority of vehicles belonging to the applicant to be parked off road. The applicant discussed the possibility of the change of use of the reservoir as a garage/store with the Local Planning Authority prior to the submission of this application.

Policy UD2 of the adopted Wrekin Local Plan is the key reference point for the Council in considering the design quality of all development. In making its assessment the Council are guided to test it against adopted urban design principles ensuring that development respects and responds positively to its context, enhances the quality of the local environment. Policy CS15, expects development to assist in creating and sustaining safe places, and positively influencing the appearance of the local environment.

National guidance contained in PPS1, states that design which is inappropriate in its context, or which fails to improve the character and quality of an area, should not be accepted.

PPS7 states that priority should be given to the re-use of previously-developed 'Brownfield' sites in preference to the development of Greenfield sites, and all development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.

It is considered that a scheme to utilise an existing redundant structure as a storage building is sustainable use of a Brownfield site. In addition the alterations of the face of the structure fronting Hillside East from the current large slab of concrete to side hung timber garage doors with small brickwork pillars and a tiled canopy with materials to match the new garage and new dwelling opposite is appropriate and will not detract from the character and appearance of the area. This elevation cannot be viewed from the hilltop; any views from the top of the hill on to the roof of the structure will be of the new "Green roof" and as such will not look significantly different from the rough land, Gorse and other self set trees and shrubs. In your Officer' view, when viewing the reservoir from a distance, the view of garage doors/piers and tiles is much preferred to a large slab of concrete. There will be very little discernable difference as the proposal is effectively re-using an existing structure and not erecting a new one and the external changes to the structure are essentially cosmetic. Furthermore, suitable planting to both sides of the doors and the 'living' roof above would further compliment the general view of the hill area. Indeed the applicant could remove all of the existing vegetation from the reservoir without the need for planning permission, and as such the LPA would have no control.

The use of the reservoir as a garage/store would then enable vehicles and machinery belonging to the applicant to be parked off road and materials stored as part of the new build house could be removed from the present location and stored out of site thus improving the visual amenity of the area and alleviating complaints from residents about the untidiness of the site.

Highway issues raised by neighbours are noted however, the Council's Highway Engineer supports the application as it would enable vehicles currently parking along the road to be parked off road. However, it should be noted that the road is unadopted and therefore the Council (Highway Authority) has no jurisdiction over its use. Furthermore, the Highway Engineer is not in a position to object to any traffic movements during the removal of the infill rubble as this does not require planning permission. Nevertheless, a condition restricting the time in which vehicle movements in respect of the removal of rubble and construction could be imposed to protect residential amenity during the most noise sensitive hours.

PPS9 informs that the aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests, and policy CS12 states that the natural environment of the Borough will be protected and enhanced.

The Council's Ecologist has advised that the building lies within Lilleshall Hill Wildlife Site; but that the development would not have any significant effect on the Wildlife Site. Nevertheless, she has recommended that the proposed vegetation planted beside the new entrance and up the walls and the species chosen for the green roof need to be appropriate to the setting, i.e. they need to be of the same species composition as those found in the wildlife site. She has provided a list of potential species to use based on the Wildlife Site species list, which will be made available to the applicant if the application is approved. The proposed green roof comprises a waterproof membrane being

laid on the new concrete roof, followed by a drainage control layer, a filter fabric layer and then finished off with a live 'growing layer of either vegetation or turf.

Additionally, she has advised that work should not take place between April and August unless the trees and shrubs in the area have first been assessed by a suitably qualified ecologist for their potential to support nesting birds. Therefore, an informative in this respect will be imposed.

Furthermore, under PPS9, sites should be enhanced for biodiversity. To achieve this, bird, bat and invertebrate boxes could be erected on the building.

Accordingly, the proposal is considered acceptable and will result in a positive impact upon the character and appearance of the area, and no significant or long lasting detrimental impact upon the residential amenity of the neighbouring properties. The reuse of a redundant structure is a sustainable use of a Brownfield site and will provide additional storage facilities, whilst presenting an opportunity to enhance the biodiversity of the area. Therefore, the proposed development is considered compliant with both local and national policy and recommended for approval with conditions.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 - Time limit.
2. B24 - mud on road
3. C01 - materials and doors to match
4. C14 - soft landscape implementation
5. C38 - in accordance with approved plans
6. D - Custom restrictions on use
7. D12 - restrictions on hours of work
8. I23a - bat boxes
9. I25 - nesting season
10. I25c - bird boxes
11. I30 - conditions
12. I31 - reasons for grant
13. Icustom list of suitable grass and plant species
14. Icustom no PD on land

REASON FOR APPROVAL:

The proposal is considered acceptable and will result in a positive impact upon the character and appearance of the area, and no significant or long lasting detrimental impact upon the residential amenity of the neighbouring properties. The reuse of a redundant structure is a sustainable use of a Brownfield site and will provide additional storage facilities, whilst presenting an opportunity to enhance the biodiversity of the area.

TWC/2010/0338 Land off, Osbaston Road, Rowton, Telford, Shropshire, TF6 6QY

Erection of general purpose agricultural building (Amended plans and additional information received)

APPLICANT

C/O Peter Richards & Co, Miss Angela Breeze

RECEIVED

25/08/2010

PARISH

Ercall Magna

WARD

Ercall Magna

CASE OFFICER

Anna Robinson

COUNCILLOR BENTLEY AND ERCALL MAGNA PARISH COUNCIL HAVE BOTH REQUESTED THAT THIS APPLICATION IS CONSIDERED BY PLANS BOARD AND THAT MEMBERS UNDERTAKE A SITE VISIT

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and Design, Character and Appearance.

THE PROPOSAL:

The application seeks planning permission for the erection of a general purpose agricultural building on existing agricultural land adjacent to Osbaston Road, Rowton.

THE SITE AND SURROUNDINGS:

The application site comprises an area of agricultural land with an existing gated access on to Osbaston Road, a classified road, and is located to the southwest of the small village of Rowton. The site is currently used for grazing cattle and storage of agricultural machinery. It is bounded by hedgerows and trees and is well-screened from the highway. Agricultural land surrounds the site, with few buildings in the locality. The nearest properties are barn conversions adjacent to listed buildings on the edge of Rowton located some 100 metres to the northeast.

CONSULTATION RESPONSES:

Ercall Magna Parish Council objects to the proposal as they consider the site to be very small with the proposed large building located close to the highway. The building would be located in a flood plain area, and would be inappropriate for the area. The Parish Council added that the site plans were too small in scale to consider.

Councillor Bentley considers the scale of the building is inappropriate.

The Council's Highways Engineer has no objection in principle to the proposal. However as the existing field access will become the service access point for the proposed development and future activities, he requests a condition that the existing access which is currently only made in loose material must be resurfaced in a bound material for a minimum distance of 5m from the rear of the highway boundary before the development is brought into use, to avoid spread of the loose material on to the highway. He also advises

that any approval should be subject to the standard highways informative regarding work on an adopted highway.

The Drainage Engineer supports the proposal subject to a condition regarding a soakaway test.

No further comments have been provided by consultees following reconsultation on the amended plan and additional information.

PLANNING HISTORY:

None

POLICY CONTEXT:

National guidance:

PPS1 Delivering Sustainable Development

PPS7 Sustainable Development in Rural Areas

Core Strategy:

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS:

The proposal comprises the erection of an agricultural building measuring 36.6 metres in length and 12.2 metres in width. The building would have an eaves height of 4.6m and 6.4m to ridge. The plans indicate half the building would provide cattle housing and the other half storage, with open sides to the cattle housing and straw barn and store enclosed. It would be constructed in precast concrete panels, box profile metal sheeting with a roof constructed in anthracite grey cement fibre sheeting. The building would be located on the western tree-lined boundary of the site and would utilise the existing access point into the field.

Additional information has been submitted to clarify the site area on the plans and to justify the proposal in light of initial local objections. The building is required to provide shelter during the winter months for cattle (suckler cows and their offspring) and to provide additional storage for animal feed and existing farm machinery which is currently sited in the field and kept outdoors all year round. It is of particular importance to the Applicant to provide shelter to the cattle during inclement weather, and the scale of the building has been dictated by the size of the herd and requirements for minimum space allowances, in addition to the need to store animal feed and machinery within the building. The Applicants consider the building will improve the welfare of the animals, improve efficiency of the farm and improve the visual appearance through its design and materials. It is not envisaged that the proposal would increase traffic movements.

The following policies are considered to be most relevant in the consideration of the application: Planning Policy Statement 1 asserts that development

should be of a high quality design and should reinforce local distinctiveness, and where it is inappropriate in its context or fails to improve the character and quality of an area, it should not be accepted. The key principles in PPS7 are amongst other aspects, to raise the quality of life and the environment in rural areas and to promote sustainable, diverse and adaptable agriculture sectors. Within the guidance it states that new development in the open countryside shall be strictly controlled in order to protect the intrinsic character and beauty of the rural area.

With regard to local planning policy, Policy CS15 of the Core Strategy expects development to assist in strengthening local identity and projecting a positive local image. Wrekin Local Plan Policy UD2 asserts that development must respect and respond positively to its context, and enhance the quality of the local environment through high quality design. It also states the development will be assessed in relation to its scale, massing, form, proportions and materials etc.

With regard to the national and local planning policies, officers consider that whilst the building is a relatively large structure and there is limited development in the vicinity, the proposal is acceptable in terms of the scale, design and materials in the context of the existing site and character and appearance of the rural area and surrounding agricultural land. The development will be sufficiently screened from the highway by the existing trees and hedgerows, and its position close to the tree line and the proposed form and materials will help to soften its visual impact in the open countryside. Thus, whilst Councillor Bentley and Ercall Magna Parish Council's comments are noted, the proposed agricultural building is considered acceptable in this location to provide shelter to cattle and associated storage. With reference to possible flood risk, the Council's Drainage Engineer has not raised any concerns regarding the proposed development's location within a floodplain and has only requested a condition regarding a soakaway test.

In conclusion the proposed erection of an agricultural building on existing agricultural land on the edge of Rowton is considered acceptable and will create shelter for the existing cattle and storage facilities for animal feed and farm machinery. The proposal will not adversely impact on the character of the rural area, nearby properties in Rowton or the safety and free flow of highway users.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. Time limit
2. Samples of materials to be submitted
3. Soakaway test
4. Access to be surfaced in bound material for first 5m from highway
5. All existing trees/hedgerows to be retained. Protective fencing to be erected during construction
6. Development in accordance with plans

REASON FOR APPROVAL

The development is considered acceptable in terms of the scale, design and materials in keeping with the character and appearance of the site and surrounding agricultural land and will not adversely impact on the character of the rural area, nearby properties in Rowton or the highway.

TWC/2010/0397 4 New Street, Dawley, Telford, Shropshire, TF4 3JR
Change of use to internet cafe, meeting & training space, office, sales area,
information point and display area

APPLICANT

Dawley Regeneration Partnership, Mr Michael Lowe

RECEIVED

10/08/2010

PARISH

Great Dawley

WARD

Dawley Magna

CASE OFFICER

Anna Robinson

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of change of use, Regeneration of Dawley, Design,
Character and appearance

THE PROPOSAL:

The proposal seeks planning permission for the change of use of the existing vacant office unit (Use class A2) to internet cafe, meeting & training space, office, sales area, information point and display area (mixed use) at 4 New Street, Dawley. The scheme has been proposed as 'The Dawley Hub'.

The application has been submitted by Telford & Wrekin Council on behalf of the Dawley Regeneration Partnership; who have received a Borough Towns Initiative (BTI) grant for the project. The proposed use is intended to be for approximately 2 years until an alternative location is available; such as when the new school is constructed.

THE SITE AND SURROUNDINGS:

The application site comprises an existing two storey brick and tile detached building with single storey rear element. The building abuts the highway and is painted white with a narrow single door entrance located on the projecting gable and large windows to frontage at ground floor. A gated side access leads to the rear amenity space which is bounded by approx. 1.2 metre to 2 metre high timber fencing.

The property is located on the edge of Dawley District Centre and adjacent to the area of Dawley that is being redeveloped in a mixed residential and commercial area. The Town Hall is adjacent to the application site. The property is situated in a highly accessible location adjacent to Dawley High Street, the bus terminus and car parking area.

Works have commenced to renovate and redecorate the premises. Doors are being widened to improve disabled access; toilets and kitchen facilities have been provided.

CONSULTATION RESPONSES:

Great Dawley Parish Council has no objection to the proposal.

The Council's Highways Engineer has no objection.

The Geotechnical Engineers have no comments to make regarding the application.

PLANNING HISTORY:

W2005/0599 Conversion of a Former Solicitors to Form 1 No. Dwelling And Construction of a New Vehicular Access, Full refused

W2006/0953 Change of Use from Use Class A2 to Educational and Development Opportunities for Disadvantaged Women

W2007/0231 Change of Use to One Residential Dwelling, Withdrawn

Enforcement matter re: alleged unauthorised commencement of TWC/2010/0397 (Current application)

POLICY CONTEXT:

PPS1 Delivering Sustainable Development

PPS4 Planning for Sustainable Economic Growth

Core Strategy:

CS5 District and Local Centres in Telford

CS8 Regeneration

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS:

The proposed change of use to the mixed use premises comprises a reception area, office space at ground and first floor, an internet café, meeting space and storage, with associated kitchen and toilet facilities. There are no significant changes proposed to the building, other than improvements to access arrangements – widening of doors and changes to existing toilet facilities to ensure accessibility to the premises for disabled people. The hours of opening proposed are 9am to 5pm Monday to Friday, and whilst there will be no staff specifically employed at The Dawley Hub, volunteers will work at the premises and representatives from Shropshire Chamber of Commerce, TCAT and possibly Telford & Wrekin Council will attend the property to engage with the residents and business community. The project has been supported by TCAT and the Shropshire Chamber of Commerce as the concept of The Dawley Hub is to regenerate Dawley in a social and economic way by encouraging both local residents and businesses to utilise the facilities.

Officers have discussed the scheme with the Agent and the BTI Coordinator in order to establish the context to the proposal and the rationale behind the choice of location. In addition they have advised of the intended benefits to the local residents and business community. The site has been selected as it is currently a vacant unit owned by Telford & Wrekin Council and is located within Dawley District Centre. No other units in Dawley were considered as

this was deemed to be ideal for the proposed use and was agreed by the respective Heads of Service within the Council.

With regard to the relevant planning policies, the proposal complies with guidance contained in PPS1 and PPS4 as the scheme provides a facility for both the local community and wider business community within an existing District Centre location which is currently the subject of regeneration projects. The proposed scheme will improve business links to Dawley and is considered to meet the sustainable principles in social, economic and environmental terms. Furthermore, it will bring an existing vacant unit in Dawley centre back into use and provide a centre for communication enabling community engagement and potential economic benefits to the town through TCAT and Shropshire Chamber of Commerce's involvement.

In this regard, the proposal will also meet a range of strategic aims set out in policies in the Core Strategy. Policy CS5 outlines that new development serving the needs of local people will be sited in the District Centres to provide a variety of services and facilities in highly accessible locations to sustain and enhance the Centres' vitality and viability. Furthermore, policy CS8 asserts development associated with regeneration initiatives will be supported, where amongst other things; it strengthens the role of District Centres and the services they provide. The proposal also conforms to policies CS9 and CS10 in that 'The Hub' will be in a highly accessible location and will improve communications and business links in Dawley. The creation of a community facility to meet the needs of local residents will be supported, particularly where they are within District Centres, highly accessible by a variety of transport modes and demonstrate environmental and social benefits.

In respect to design policies CS15 of the Core Strategy and UD2 of the Wrekin Local Plan, the alterations to the building are principally the improvements to existing access arrangements – widening of main doors to the property and provision of disabled w.c. as well as renovation/general redecoration. The proposed works to the property are considered acceptable in terms of the design and materials, in keeping with the character and appearance of the existing building and context of the area.

In conclusion, the principle of the change of use of the building is considered acceptable and brings an existing vacant unit within Dawley District Centre back into use, providing a facility for the local community and wider business community and sustaining the vitality and viability of the District Centre. The building is located in a highly accessible position within Dawley District Centre, close to the bus terminus and public car park. The proposal will support the regeneration of Dawley and help to strengthen its role and the services it provides.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 Time limit
2. C38 Development in accordance with plans
3. Hours of opening 9 – 5 Mon – Fri

REASON FOR APPROVAL:

The principle of the change of use is considered acceptable as it would bring an existing vacant unit within Dawley District Centre back into use and provide a facility for the local residents and business community, and sustain the vitality and viability of the District Centre. It is located in a highly accessible position within Dawley District Centre and will support the regeneration of Dawley and help to strengthen its role and the services it provides.

TWC/2010/0409 PSG, 30 Alexandra Road, Wellington, Telford, Shropshire, TF1 1RS
Change of use of retail shop (use class A1) to Martial Arts Centre (use class D2) **** Additional information received ****

APPLICANT

BICMA, Miss Lisa Grant

RECEIVED

04/08/2010

PARISH

Wellington

WARD

Haygate

CASE OFFICER

Anna Robinson

COUNCILLOR CHAPLIN HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of change of use, Highways issues, Impact on residential amenity.

THE PROPOSAL:

The application seeks planning permission for change of use of half of the existing vacant retail unit (use class A1, formerly Cartridge World) to a Martial Arts Centre (use class D2) at 30 Alexandra Road in Wellington.

THE SITE AND SURROUNDINGS:

The application site comprises a detached single storey modern flat-roofed red brick building with vehicular access off Alexandra Road and small parking area for approx. 5 vehicles. The building is set back from the highway and at a slightly lower level to Haygate Road. It is bounded by c.1 metre high metal railings and there are a number of established trees on the boundary of the site.

The site is located approximately 180 metres to the west of Wellington District Centre in a mixed residential and commercial area comprising various facilities: to the north a plumbing centre sits adjacent to the site on Alexandra Road and public house, social club, dry cleaners, hair salon, Telephone Exchange, carpet retailer and Tesco Express are located along Haygate Road towards the District Centre to the east. The application site is on the edge of the commercial area and Alexandra Road acts as the boundary separating the residential area to the west and the commercial premises. Haygate Road is on a main bus route and the site is accessible by a variety of transport modes.

CONSULTATION RESPONSES:

Wellington Town Council objects on the grounds of inappropriate use in a largely residential area, possible long opening hours causing disturbance to residents and lack of parking facilities.

The Council's Highways Engineer has no objection to the proposal.

Five neighbour letters have been received with the following representations:

- Insufficient information to consider proposal
- Lack of parking and poor access arrangements – proposal will cause congestion on residential streets
- Cumulative effect of existing commercial businesses and proposed use
- Hours of operation would be evenings and weekends causing more noise and disturbance to neighbours in predominantly residential area

Following the submission of further information regarding the proposed activities, users of the centre, employees, opening hours, the Local Planning Authority has reconsulted the statutory consultees and local residents. The consultation period expires on 27th September and if any further representations are submitted, Members will be updated at Plans Board.

PLANNING HISTORY:

W2002/0567 Provision of 5 No. Car Parking Spaces (Amended Plans Received), Full granted, dated 28.08.02

POLICY CONTEXT:

PPS1 Delivering Sustainable Development

Core Strategy:

CS5 District and Local Centres in Telford

CS10 Community Facilities

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS:

The proposal comprises the change of use of the existing retail unit to a martial arts centre. In addition the unit would operate as a health centre and the Applicant advises this would consist of activities like circuit training, skipping, holistic healing and Indian head massage, with the opportunity to educate people about Chinese Culture. This facility would provide students with the chance to improve fitness, reduce stress and be involved in group activities.

The Applicant works closely with Telford & Wrekin Council working in mainstream and special schools, community and leisure centres and Telford Chinese School, working with a variety of age groups, ethnicities, able-bodied and disabled people and disadvantaged families. Funding for the facility has been partly provided by Hollinswood & Randlay Parish Council and BME Medical at Sutton Hill Community Centre due to the role of the Martial Arts Centre and the benefits to local residents in Telford.

The Applicant is the only full time employee; however there would be a number of volunteers who would help with the classes, and there would be 3 staff from the 'Future Jobs Fund' working for 6 months to gain a qualification, paid for by Shropshire Council. The additional information submitted by the

Applicant suggests there would be approximately 10 volunteers in total, but they would not all be working at the centre at the same time.

The proposed hours of operation are 8am to 10pm Monday to Saturday with the possibility of Telford Chinese School or other clubs using the facility on Sundays. It is asserted that the facility may only be in use in the evenings and is dependent on demand; however it is envisaged if the facility is successful, classes for adults with disabilities and the elderly would be held during the day, after school clubs and during school holidays in addition to some evening classes until approx. 9pm.

With regard to national and local planning policy, the following are considered most relevant: Local Development Framework policy CS5 outlines that development will be focussed on Wellington, along with 5 other District Centres, to meet local needs of the community. Such development will provide core services and facilities, be well served by public transport and comprise a mix of uses, in order to sustain the vitality and viability of the District Centres. Policy CS10 asserts that the provision of new community facilities or improvements to existing community facilities to meet local needs will be supported particularly where the facilities are within District Centres or highly accessible locations. It is considered that the proposal would accord with planning policy in terms of the location of the site and the proposed use in providing a facility for a wide spectrum of the community.

Planning Policy Statement 1 asserts that development should be of a high quality design and should reinforce local distinctiveness, and where it is inappropriate in its context or fails to improve the character and quality of an area, it should not be accepted. Policy CS15 outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment. In the Wrekin Local Plan, Policy UD2 asserts that development must respect and respond positively to the context, and enhance the local environment through high quality design, and it will be assessed in relation to its scale and access etc. In regard to design, the application does not propose any internal or external changes to the building. Subsequently the proposal complies with these policies.

The Town Council and neighbour comments are noted; however the Council's Highways Engineer has raised no objections to the proposal as it does not alter the existing access nor reduce the car parking facilities and the site is a highly accessible location close to the District Centre and associated public transport, public car parks, and within walking distance of a bus route with a regular service. Haygate Road has a mix of residential and commercial uses, and whilst it is noted that this is a sensitive location close to established housing, it is considered that the proposed use will have no further adverse impact on adjoining residential amenity than the existing retail use which has no controlled hours of operation, in terms of vehicle movements, noise and disturbance. However, given the site's location closer to residential properties than the adjacent public house, officers consider that the proposed hours of

use should be restricted to 8am to 9pm Monday to Friday, 9am to 6pm on Saturdays and 10am to 4pm on Sundays and Bank Holidays.

In conclusion, it is considered the principle of the change of use from retail to a martial arts centre is acceptable in terms of the location of the unit and the scale of the activities, with the creation of a new community facility on the edge of Wellington District Centre. The proposal will not have an adverse impact on the amenities of neighbouring residential properties or with regard to highways issues.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 - Time limit
2. C38 - Development in accordance with plans
3. Hours of use
4. Restriction on alternative uses – martial arts centre only, no other uses within D2

REASON FOR APPROVAL:

The principle of the change of use from retail to martial arts centre is considered acceptable with regard to the location and scale of activities at the site, which will create of a new community facility on the edge of Wellington District Centre. The proposal will not have an adverse impact on neighbouring residential amenities or to other highway users.

TWC/2010/0416 School House, School Lane, Ketley, Telford, Shropshire,
TF1 5DH
Change of use of open land to private amenity area and erection of fence

APPLICANT
Mrs Joy Francis

RECEIVED
29/07/2010

PARISH
Ketley

WARD
Ketley and Oakengates

CASE OFFICER
Phil Baker

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Loss of small piece of open space.

THE SITE AND THE PROPOSAL:

This planning application relates to the change of use of a piece of open space to private garden land, and the erection of a new boundary fence, at the rear of School House, School Lane, Ketley. The land extends to 76 square metres.

The site currently lies within the curtilage of the former Good Companions Hall which was demolished about 15 years ago. To the west of the site is the former Ketley Nursery School, to the south is the private rear garden of Southern Winds, and to the east is an old pit mound which is covered in trees and other vegetation. The site lies over 30 metres from Holyhead Road.

The application site is owned by Telford and Wrekin Council but has been leased to the Parish Council in recent years. It is understood that until recently the land had been used by the former Ketley Nursery School as a small nature area to study wildlife. There are a number of semi-mature trees on the site.

CONSULTATION RESPONSES:

The Council's Geotechnical Engineer and Highways Engineer have no objections to the application.

The Council's Arboricultural officer has no objections to the application. He states that the trees within the site are all self-set and none of them is considered to be worthy of retention. He feels that the area has a substantial canopy and the loss of these trees is not considered to be significant.

PLANNING HISTORY:

In 1994 planning permission (ref: W94/0233) was granted for residential development on the wider area of land on the former Good Companions Hall site up to Holyhead Road.

In 1997 outline planning permission (ref: W97/0604) for two dwellings was granted on the same piece of land.

In 2001 planning permission (ref: W2001/0104) was granted for a pair of semi-detached houses on the same piece of land.

POLICY CONTEXT:

The following statutory policies are relevant in the determination of this application:

LDF Core Strategy

CS11 – Open Space

Wrekin Local Plan

OL6 – Open Land

PLANNING CONSIDERATIONS:

This triangular piece of land is shown as ‘white land’ on the Wrekin Local Plan, and is not within an area designated as a Wildlife Site, Local Nature Reserve, or Site of Special Scientific Interest. Although up until five years ago the land had been used as a nature area it has since been neglected and is now very overgrown, with the undergrowth mainly comprising long grass, brambles and weeds.

The applicant at present only has a very small rear garden. The property did at one time have a much larger garden area but this was sold off many years ago to the next door neighbour. Incorporating the proposed triangle of land will give the property a bigger and more usable garden.

The applicant states that she wishes to make this piece of land a wild garden, to attract birds and insects, and that it would not be ‘formalised’. She also hopes that the proposed fence will deter young men from climbing over her garden fence and using her property as a short cut.

The Council’s Asset and Property Management Section has confirmed that there are no plans at present for any residential development on the larger site. However, it is considered that even if this current application was approved it would not prevent the remainder of the site being developed in the future.

It is considered that the change of use of this small triangular piece of open space at the rear of the former Good Companions Hall to private garden land is acceptable. It does not have any wildlife or recreational importance and can barely be seen from any public viewpoint, so its visual amenity value is limited.

The change of use would not have a detrimental impact on the character and appearance of the surrounding area, and would not adversely affect the residential amenities of the adjacent dwelling

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. Full permission
2. Development in accordance with submitted plans

3. Matching fence materials

REASON FOR APPROVAL:

The piece of land does not have any wildlife or recreational importance and can barely be seen from any public viewpoint, so its visual amenity value is limited.

The change of use would not have a detrimental impact on the character and appearance of the surrounding area, and would not adversely affect the residential amenities of the adjacent dwelling

TWC/2010/0427 Newport Swimming Pool, Victoria Park, , Newport, Shropshire, TF10 7LH
Replacement of existing main pitched roof, removal of existing plant room flat roof and extension of main pitched roof over existing flat roof to form new gable

APPLICANT

Telford & Wrekin Council

RECEIVED

24/07/2010

PARISH

Newport

WARD

Newport East

CASE OFFICER

Phil Baker

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Design and Appearance.

THE SITE AND THE PROPOSAL:

This planning application involves replacing the existing pitched roof, and extending the roof line to enclose new plant equipment, at the Newport Swimming Pool, Victoria Park, Newport.

The swimming pool lies to the east of Victoria Park and to the south of the Newport Branch of the Shropshire Union Canal. To the north, south and east of the swimming pool is existing residential development.

The original building, constructed of brick and profiled sheeting, was built in the late 1960s, and the roof is a combination of shallow pitch profiled metal sheets and flat roof construction.

As part of the necessary maintenance of the building it is proposed to remove the existing roof coverings, and replace the profiled metal sheets with new sheets that contain a greater thickness of insulation. The new profiled metal sheets will match as closely as possible the existing profiles.

It is also proposed to extend the roof line to cover over the flat roof that contains the existing plant.

CONSULTATION RESPONSES:

There have been no consultation responses to this application.

PLANNING POLICY:

The following statutory policies are relevant in the determination of this application:

Wrekin Local Plan

UD2 – Design Criteria

LDF Core Strategy

CS15 – Urban Design

PLANNING CONSIDERATIONS:

The new roof will improve the appearance and insulation of this functional building, and the extended roofline will enclose the existing plant on the side of the building that at present looks rather unsightly.

Overall, it is considered that the proposed works will greatly enhance the appearance of the swimming pool and make it more aesthetically pleasing for the residents of the dwellings in the immediate vicinity of the site. Hence the proposal is considered acceptable.

RECOMMENDATION: GRANT PLANNING PERMISSION subject the following conditions:

1. Full permission
2. Development in accordance with submitted plans
3. Matching external materials

REASON FOR APPROVAL:

The proposed works will greatly enhance the appearance of the swimming pool and improve its insulation. The works will also make the building more aesthetically pleasing for the residents of the dwellings in the immediate vicinity of the site.

W2006/0291 Land off, Peregrine Way, Leegomery, Telford, Shropshire.
Residential development (outline) ***ADDITIONAL INFORMATION
SUBMITTED***

APPLICANT

English Partnerships

RECEIVED

09/03/2006

PARISH

Hadley and Leegomery

WARD

Apley Castle

CASE OFFICER

Kath Whitfield

OBJECTIONS RECEIVED: No.

BACKGROUND:

Outline planning permission was granted by Plans Board in September 2008 for residential development and was subject to a Section 106 agreement.

Since approval was issued, there have been on going negotiations with the ward member, local residents including the Local Residents Group APA and the Homes and Communities Agency (HCA) as land owner with regard to the level of residential development on this site. The original consent included supporting documentation for 180-200 dwellings on the land (including apartments), whilst it was recognised in the original plans board that this level of development was unlikely, it was envisaged that the development would accommodate up to 150 dwellings and it was based on this level of development that contributions were negotiated and agreed.

The negotiations have lead to an agreement to the site having a maximum of 100 dwellings, which is a significant reduction from that as set out in the approved documentation.

PROPOSAL:

The original consent did not prescribe the number of dwellings that consent was granted for, so no alterations to the planning permission are required. However, since this alteration to limit the number of dwellings to a maximum of 100 is at the request of the Council, the HCA has formally requested a variation to some of the terms within the Section 106 agreement to reflect this change.

The variation is to reduce the affordable housing provision from no less than 30% to no less than 20%, all other terms regarding the mix and type are to remain unaltered. The Councils Strategic Housing Officer has raised no objections to this variation.

The Highways contributions for the upgrade/widening of the Leegomery roundabout to be reduced form £50,000 to £35,000 and the sum for upgrading the local bus service has been reduced from £120,000 to £100,000. The Council's Highways Engineer has been involved in the negotiations and raises no objection to the variations.

All other contributions are to remain unaltered, and for completeness in considering the matter they are detailed below:

- £1200 per dwelling for primary education contributions, excluding affordable units and 1 bedroomed unit(s).
- £81,000 Recreation contribution for upgrading of disabled angling facilities at Apley Pool or other improvements to leisure and recreational facilities.
- Recreation contributions of £40,000 for the provision of a Local Equipped Play Area (LEAP) and a further sum of £35,000 for maintenance.
- Environmental contributions of £25,000 towards the improvement of woodland in the neighbourhood of the site, £51,800 for the maintenance of the Lime Avenue and the mature planted trees. The agreement is also for the transfer of the Lime Avenue to the Council
- A commuted sum for the maintenance of open space. The level of this contribution is to be agreed based on the landscaping details to be submitted at reserved matters.

CONSIDERATIONS:

The Local Residents' Group APA have been involved in the negotiations over the reduction in numbers of units on this site with the Homes and Communities Agency, and have supported the restriction to 100 dwellings and have raised no objections to the associated variations to the Section 106 agreement.

The reduction to the total number of dwellings on the site to a maximum of 100 dwellings is acceptable in planning policy terms, following amendments to PPS3 which have omitted the density level requirements and subsequent reserved matters applications can ensure an adequate design and layout is achieved. Due to this significant reduction in overall numbers of dwellings for this site, officers consider it is acceptable to agree reduced contributions of £35,000 for the widening of Leegomery roundabout, £100,000 for local bus service upgrading and no less than 20% affordable housing provision.

These levels of contributions are considered to be adequate to address and mitigate the level of impact the altered number of dwellings will generate.

RECOMMENDATION: Approve the alteration the provisions of the Section 106 agreement through a deed of variation, to change the following contributions to £35,000 for the widening of Leegomery roundabout, £100,000 for improvements to the local bus service and no less than 20% affordable housing provision.